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REGISTER OF ACTIONS

CASE NO. 2022CCV-60028-1

Norberto Cortina vs. Pull-A-Part of Corpus Christi, LLC

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Case Type: **Injury or Damage - Other**
 Date Filed: **01/12/2022**
 Location: **CCAL1**

PARTY INFORMATION

		Attorneys
Defendant	Pull-A-Part of Corpus Christi, LLC <i>Doing Business As</i> Pull-A-Part	
Plaintiff	Cortina, Norberto	Carole Novak Harrod <i>Retained</i> 361-698-5200(W)

EVENTS & ORDERS OF THE COURT

	OTHER EVENTS AND HEARINGS		
01/12/2022	Original Petition (OCA)		
01/12/2022	Original Petition Documents E-filed (Judicial Officer: Vargas, Robert J.) <i>Plaintiff's Original Petition</i>		
01/13/2022	Service Request Information Sheet <i>Service Requested</i>		
01/18/2022	Citation Pull-A-Part of Corpus Christi, LLC	Served Response Due Returned	01/24/2022 02/14/2022 01/31/2022
01/31/2022	Proof of Service <i>Return of Service/Citation-Pull-A-Part of Corpus Christi, LLC</i>		

FINANCIAL INFORMATION

	Plaintiff Cortina, Norberto		
	Total Financial Assessment		358.00
	Total Payments and Credits		358.00
	Balance Due as of 02/11/2022		0.00
01/13/2022	Transaction Assessment		350.00
01/13/2022	E-file Payment Receipt # 2022-394-DCCLK	Cortina, Norberto	(213.00)
01/13/2022	State Credit		(137.00)
01/13/2022	Transaction Assessment		8.00
01/13/2022	E-file Payment Receipt # 2022-401-DCCLK	Cortina, Norberto	(8.00)



**Service of Process
Transmittal**

01/24/2022

CT Log Number 540926265

TO: Wallace Glenn
Pull-A-Part Auto Salvage
4473 Tilly Mill Rd
Atlanta, GA 30360-2107

RE: Process Served in Texas

FOR: PULL-A-PART OF CORPUS CHRISTI, LLC (Domestic State: TX)

ENCLOSED ARE COPIES OF LEGAL PROCESS RECEIVED BY THE STATUTORY AGENT OF THE ABOVE COMPANY AS FOLLOWS:

TITLE OF ACTION: Re: NORBERTO CORTINA // To: PULL-A-PART OF CORPUS CHRISTI, LLC

DOCUMENT(S) SERVED: --

COURT/AGENCY: None Specified
Case # 2022CCV600281

NATURE OF ACTION: Personal Injury - Vehicle Collision

ON WHOM PROCESS WAS SERVED: C T Corporation System, Dallas, TX

DATE AND HOUR OF SERVICE: By Process Server on 01/24/2022 at 02:18

JURISDICTION SERVED : Texas

APPEARANCE OR ANSWER DUE: None Specified

ATTORNEY(S) / SENDER(S): None Specified

ACTION ITEMS: SOP Papers with Transmittal, via UPS Next Day Air
Image SOP
Email Notification, Wallace Glenn WallaceG@Pullapart.com
Email Notification, Rebecca Kim rebeccak@pullapart.com
Email Notification, Bart Cohen bartc@pullapart.com

REGISTERED AGENT ADDRESS: C T Corporation System
1999 Bryan Street
Suite 900
Dallas, TX 75201
866-539-8692
CorporationTeam@wolterskluwer.com

The information contained in this Transmittal is provided by CT for quick reference only. It does not constitute a legal opinion, and should not otherwise be relied on, as to the nature of action, the amount of damages, the answer date, or any other information contained in the included documents. The recipient(s) of this form is responsible for reviewing and interpreting the included documents and taking appropriate action, including consulting with its legal and other advisors as necessary. CT disclaims all liability for the information contained in this form, including for any omissions or inaccuracies that may be contained therein.

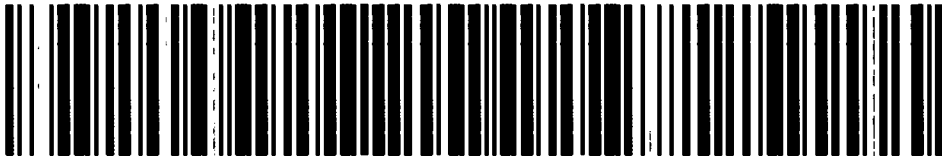


PROCESS SERVER DELIVERY DETAILS

Date: Mon, Jan 24, 2022

Server Name: Krystal Jones

Entity Served	PULL-A-PART OF CORPUS CHRISTI, LLC
Case Number	2022ccv-60028-1
Jurisdiction	TX



Copy

Citation for Personal Service –RESIDENT

Case Number: 2022CCV-60028-1

THE STATE OF TEXAS

NOTICE TO DEFENDANT: You have been sued. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you. In addition to filing a written answer with the clerk, you may be required to make initial disclosures to the other parties of this suit. These disclosures generally must be made no later than 30 days after you file your answer with the clerk. Find out more at TexasLawHelp.org.

TO: Pull-A-Part of Corpus Christi, LLC DBA Pull-A-Part
Registered Agent Ct Corporation System
1999 Bryan St., Ste. 900
Dallas Texas 75201

the Defendant.

GREETING: You are commanded to appear by filing a written answer to the Plaintiff's Original Petition with attached Notice at or before 10:00 o'clock a.m. of the Monday next after the expiration of 20 days after the date of service of this citation before the Honorable Robert J. Vargas, County Court at Law #1 of Nueces County, Texas at the Courthouse of said County in Corpus Christi, Texas. Said Petition was filed on the 12th day of January, 2022. A copy of same accompanies this citation.
The file number of said suit being Number: 2022CCV-60028-1

The style of the case is: Norberto Cortina vs. Pull-A-Part of Corpus Christi, LLC, DBA PULL-A-PART

Said Petition was filed in said court by Carole Novak Harrod, attorney for Plaintiff, whose address is 802 N. Carancahua St., Ste. 1400 Corpus Christi Texas 78401.

The nature of the demand is fully shown by a true and correct copy of the Petition accompanying this citation and made a part hereof.

The officer executing this writ shall promptly mail the same according to requirement of law, and the mandates thereof, and make due return as the law directs.

Issued and given under my hand and seal of said court at Corpus Christi, Texas, this 18th day of January, 2022.



ANNE LORENTZEN, DISTRICT CLERK
NUECES COUNTY, TEXAS
901 LEOPARD STREET, ROOM 313
CORPUS CHRISTI, TEXAS 78401

Signed: 1/18/2022 02:04 PM

BY: Emy Esparza, Deputy
Emy Esparza

RETURN OF SERVICE

2022CCV-00028-1

NORBERTO CORTINA

COUNTY COURT AT LAW #1

VS.**Pull-A-Part of Corpus Christi, LLC,
DBA PULL-A-PART**

Name _____

ADDRESS FOR SERVICE**Pull-A-Part of Corpus Christi, LLC**

Registered Agent CT Corporation System

1999 Bryan St., Ste. 900

Dallas TX 75201

OFFICER'S OR AUTHORIZED PERSON'S RETURN

Came to hand on the _____ day of _____, 20____, at _____ o'clock _____, m., and executed in _____ County, Texas by delivering to the within named defendant in person, a true copy of this citation with the date of delivery endorsed thereon, together with the accompanying copy of the _____, at the following times and places, to-wit:

NAME	DATE/TIME	PLACE, COURSE & DISTANCE FROM COURTHOUSE

And not executed as to the defendant(s),

The diligence used in finding said defendant(s) being:

and the cause of failure to execute this process is:

and the information received as to the whereabouts of said defendant(s) being:

Fees:	_____	Officer
Serving Petition and Copy	\$ _____	County, Texas
Total	\$ _____	By _____ Deputy

COMPLETE IF YOU ARE A PERSON OTHER THAN A SHERIFF, CONSTABLE, OR CLERK OF THE COURT.

In accordance with Rule 107: The officer or authorized person who serves, or attempts to serve, a citation shall sign the return. The signature is not required to be verified. If the return is signed by a person other than a sheriff, constable, or the clerk of the court, the return shall be signed under penalty of perjury and contain the following statement:

"My name is _____, my date of birth is _____, and my
(First, Middle, Last)

address is _____
(Street, City, State, Zip, Country)

I DECLARE UNDER PENALTY OF PERJURY THAT THE FORGOING IS TRUE AND CORRECT.

Executed in _____ County, State of _____, on the _____ day of _____, 20____.

Declarant / Authorized Process Server

ID# & Expiration of Certification

CAUSE NO. 2022CCV-60028-1NORBERTO CORTINA
Plaintiff

VS.

PULL-A-PART OF CORPUS
CHRISTI, LLC DBA PULL-A-PART
Defendant§
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IN THE COUNTY COURT

AT LAW NO.

NUECES COUNTY, TEXAS

PLAINTIFF'S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, NORBERTO CORTINA, hereinafter sometimes referred to as "Plaintiff", and files this Original Petition complaining of Defendant, Pull-A-Part of Corpus Christi, LLC dba Pull-A-Part, hereinafter sometime referred to as "Defendant" and in support would show the Court as follows:

I. Discovery

Plaintiff intends that the discovery in this suit be conducted under Section 190.4 (Level 3) of the Texas Rules of Civil Procedure.

II. Parties and Service

Plaintiff, Norberto Cortina, is a resident of Corpus Christi, Nueces County, Texas.

Defendant, Pull-A-Part of Corpus Christi, LLC dba Pull-A-Part is a Domestic Limited Liability Company (LLC) with its principal place of business located at 5609 Agnes Street, Corpus Christi, Nueces County, Texas. Defendant can be served by serving its registered agent, CT Corporation System, 1999 Bryan St., Ste 900, Dallas, TX 75201-3136.

III. Jurisdiction and Venue

Jurisdiction is proper in this Texas court because the amount of damages sought exceeds the minimum jurisdictional limits of this Court.

These claims do not raise any issues of federal question as Plaintiff expressly disavows any claims being made pursuant to federal law, treaties, or the United States Constitution.

Pursuant to §15.002(a)(1) of the Texas Civil Practice and Remedies Code, venue is proper in Nueces County, Texas, as it is the county in which all or a substantial part of the events or omissions giving rise to this claim occurred.

IV. Facts

On or about February 4, 2020, Plaintiff was lifting an engine from a vehicle at the Pull-A-Part of Corpus Christi, LLC dba Pull-A-Part, 5609 Agnes Street, Corpus Christi, TX. Plaintiff was using the hoist provided by Pull-A-Part of Corpus Christi, LLC dba Pull-A-Part. The hoist broke and collapsed, falling on Plaintiff and injuring him.

V. Respondent Superior

The Defendant named herein at all times acted through its agents, servants and employees and is therefore liable for their negligent acts and omissions under the doctrine of respondent superior.

VI. Cause of Action – Premises Liability

Defendant was in possession of the premises at 5609 Agnes Street, Corpus Christi, TX. Plaintiff entered Defendant's premises with Defendant's knowledge and for their mutual benefit. Plaintiff was Defendant's customer and was using the hoist provided by Defendant to obtain and purchase Defendant's auto part. The condition of the hoist provided by Defendant for use by customers and Plaintiff on the premises posed an unreasonable risk of harm to Plaintiff on the date of the incident. Defendant knew, or reasonably should have known, of the danger posed by the condition of the hoist. Defendant had a duty to use ordinary care to ensure that the premises did not present a danger to Plaintiff. This duty includes the duty to inspect and the duty to warn or to cure.

Defendant breached its duty to Plaintiff by failing to use ordinary care to ensure that the premises did not present a danger to Plaintiff, failing to inspect, failing to warn, and/or failing to cure.

VII. Cause of Action - Negligence

Defendant's action, in addition to or in the alternative, constitute negligence as Defendant breached its duty to Plaintiff to maintain the hoist in good working condition and such breach caused injuries to Plaintiff.

VIII. Damages

As a result of Defendant's actions and inactions as set out above, Plaintiff suffered significant injuries, and will continue to sustain in the future, the following damages:

- a. physical pain and mental anguish;
- b. loss of earning capacity;
- c. physical impairment;
- d. reasonable expenses of necessary medical care; and
- e. disfigurement.

Plaintiff seeks monetary relief of not more than \$1,000,000.00 dollars for his damages, excluding interest, statutory or punitive damages and penalties, and attorney fees and costs.

IX. Jury Demand

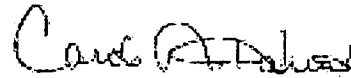
Pursuant to Tex. R. Civ. P. 216, Plaintiff respectfully demands trial by jury and has tendered the jury fee along with the filing fee in this cause.

X. Prayer

WHEREFORE, PREMISES CONSIDERED. Plaintiff Norberto Cortina asks the Court to issue citation for Defendant to appear and answer, and to enter judgment in Plaintiff's favor, to include pre-judgment and post-judgment interest, costs of court, and such other relief to which the

Plaintiff may be justly entitled.

Respectfully submitted,



By:

Carol N. Harrod
Texas State Bar No. 00796717
Bandas Law Firm, P.C.
802 N. Carancahua, Suite 1400
Corpus Christi, Texas 78401
Telephone: (361) 698-5200
Facsimile: (361) 698-5222
E-mail: charrod@bandaslawfirm.com
Attorney for Plaintiff

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Brittani Ortiz on behalf of Carole Harrod
Bar No. 796717
bortiz@bandaslawfirm.com
Envelope ID: 60771717
Status as of 1/13/2022 8:29 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Carole N. Harrod		charrod@bandaslawfirm.com	1/12/2022 5:08:21 PM	SENT
Brittani Ortiz		bortiz@bandaslawfirm.com	1/12/2022 5:08:21 PM	SENT